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PATENT APPLICATION

ATTORNEY DOCKET NO. 200309154-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): David E. Lowell

Confirmation No.: 8294

Application No.: 10/676922

Examiner: WAI, Eric Charles

Filing Date: October 1, 2003

Group Art Unit: 2196

Title: Runtime Virtualization And Devirtualization Of I/O Devices By A Virtual Machine Monitor

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date,
August 8, 2008 rejecting the following claims 1-66

☒ The fee for filing this Notice of Appeal is \$510.00 (37 CFR 41.20).

☒ No Additional Fee Required.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$460

☐ 3rd Month
\$1050

☐ 4th Month
\$1640

☐ The extension fee has already been filed in this application

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 510.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

CERTIFICATE OF TRANSMISSION

I hereby certify that this document is being transmitted to the Patent and Trademark Office via electronic filing on the date shown below.

November 10, 2008

Date of Transmission

Eileen Lehmann

Signature of Person Transmitting Papers

Eileen Lehmann

Typed or Printed Name of Person Transmitting Papers

Respectfully submitted,

David E. Lowell

By Eileen Lehmann

Eileen Lehmann

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Date: November 10, 2008

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